

NEW YORK TIMES

JUN 21 1963

ARMY TO KEEP 300 OF ALABAMA GUARD

WASHINGTON, June 20 (AP)—Only about 300 Alabama National Guardsmen will be kept in active Federal service after Monday as peacekeepers in the University of Alabama racial integration situation, the Army announced today.

Of the 17,000 guardsmen federalized June 11 after Gov. George C. Wallace moved to bar two Negro students from admission to the university, 13,000 were released from duty last weekend. The Army said today about 3,100 more would be freed next Sunday and Monday.

The 300 who will remain on duty are members of the 1st battalion, 200th Infantry. About 100 will be stationed near the university at Tuscaloosa.

The others will be permitted to return to their civilian activities but subject to call on four hours' notice. All of these live in or near Tuscaloosa.

Peace seems to have settled over the Tuscaloosa campus since Governor Wallace relaxed his vigil and two Alabama Negroes, Miss Vivian Malone and James A. Hood, were registered there. There was no difficulty when another Negro, Dave M. McGlathery, registered at the Alabama Extension Center near Huntsville.

JUN 20 1963

ALABAMA U. SEEKS NEGROES' OUSTER

Moves to Appeal Rejection
of Integration Delay

BIRMINGHAM, Ala., June 19 (UPI)—The board of trustees of the University of Alabama took the first legal step today in an effort to remove three Negroes from the University of Alabama.

The trustees filed notice of appeal in Federal District Court of Judge H. H. Grooms' refusal to stay integration of the university on until racial tensions in the state quieted.

The trustees said they were appealing to the United States Court of Appeals for the Fifth Circuit Judge Grooms' action of May 21 in rejecting their motion to modify and suspend an injunction requiring integration.

The board will ask the Court of Appeals to remove the Negro students from the university until the state's tense racial picture quiets.

There was no indication when the appeal would be made. On the notice, not the appeal itself, was filed under necessary court procedure.

Two Negroes, James A. Hood and Vivian Malone, were enrolled at the university's main campus at Tuscaloosa last Tuesday.

The third Negro, David McMillan, was enrolled Thursday at the university's Montevalle extension school.

Judge Grooms had ordered the Negroes under a seven-year-old injunction re-

quiring of all qualified students regardless of race.

The old court order was issued in 1955 and opened the doors of the previously all-white school to Autherine Lucy, a Negro who was expelled after three days of riots on the campus. She was ordered to leave the school after her lawyers charged that school trustees had condoned the rioting.

Judge Grooms admitted the three Negroes under the provision of the injunction issued in the Lucy case and ordered the school to show cause why it should not be held in contempt.

The board of trustees issued a statement read in the courtroom at a hearing May 21 that the Negroes would be admitted. But at the same time the board sought to stay the order, claiming possible racial violence.

Under a Federal law, neither the university nor the trustees could appeal the earlier order issued in the Lucy case because more than 30 days had elapsed since it was originally issued.

Andrew Thomas, attorney for the university, declined comment when asked what the appeal would involve or when it would actually be filed.

Gov. George C. Wallace sought to prevent the attendance of the Negroes in the university by "standing in the schoolhouse door," contending that the state's sovereignty was being violated.

But he backed down when President Kennedy federalized the Alabama National Guard to carry out the court's desegregation orders.

Governor Wallace said at the time, however, that further legal steps would be taken to prevent the Negroes from attending classes at the university.

NEW YORK TIMES

JUN 26 1966

LACK OF COURT TEST IRKS GOV. WALLACE

FLORALA, Ala., June 21 (AP) — Gov. George C. Wallace said Monday the Federal Government should have prosecuted him for contempt of court instead of sending troops to the University of Alabama.

Mr. Wallace attempted to block the enrollment of two Negroes at the school in Tuscaloosa June 11.

The Governor, speaking to a cheering crowd of 2,500 at the annual Masonic Day celebration here, said Federal authorities must have figured it was "good politics" to use federalized National Guard troops to escort the Negroes.

However, he said, "We're going to show them we're tired of having bayonets aimed at us."

"They should have cited me for contempt, or any of us who may have violated any constitutional rights," the Governor continued.

"I wanted to test the matter in the courts. They say the courts are too slow, so they resorted to bayonets."

Mr. Wallace was under a Federal court injunction prohibiting him from physically harassing the door to the Negroes, Vivian J. Malone and James Hood.

Justice Department spokesmen have said that the Governor did not technically violate the injunction because he did not come face to face with the Negro students.

JUN 11 1953

Alabama U. Plans Court Move to Oust Negroes

[illegible]

Political Plusses and Minuses for Both Sides

Wallace-U.S. Fight Was a Draw

By JACK STEELE



AYMAN MALLAH, center, walks to her first class at the University of Alabama with her students.

1961 APRIL 10

PROS AND CONS

NEGRO REGISTERS TODAY

Huntsville Remains Calm

JUN 14 1963

Negro Finds Courtesy at Alabama U.

TUSCALOOSA, Ala., June 13 (AP)—A young white school teacher doing graduate work at the University of Alabama met Negro student James A. Hood on campus today with outstretched hand and warm greeting.

The teacher, who identified himself as Robert Davis of Fort Walton Beach, Fla., walked up to Hood, stuck out his hand and said, "James, I'm glad to see you."

The friendly scene took place in front of Hood's dormitory as he started for a second day class.

The other Negro student enrolled here Tuesday—Vivian J. Malone—also was up early for class and reported an increasingly friendly reception by the other girls in her dormitory.

Asked if she did much studying last night, she said, "No, some girls came by."

Miss Malone and Hood, both 21, are taking graduate courses. Most of the approximately 3800 white students here for the summer session also are graduate students.

Barricades Removed

The barricades thrown up around the campus last week, when Gov. George C. Wallace vowed to bar Negroes from registering, were removed today but some Guardsmen still were stationed near the dormitories where the Negroes are housed.

The girl was alone today when she stepped out of the dormitory, wearing a yellow skirt, striped blouse and flat yellow shoes. Only a woman reporter fell in step by her side. Miss Malone said everything is "going along fine" and nodded when asked if any students visited her last night.

She ate with the others in the dining hall.

Hood said that 25 to 30 students had offered to help in any way possible and that he still has noted no signs of animosity.

Guard Units Reduced

In Washington, meanwhile, Secretary of the Army Cyrus R. Vance authorized Federalized Alabama Army and Air National Guardsmen to return to their civilian jobs if they are not engaged in Guard duty at the University of Alabama or undergoing summer training.

About 17,000 Alabama Guardsmen were mustered into Federal service Tuesday when Gov. Wallace sought to bar Hood and Miss Malone from enrolling at the University.

The Army declined to say how many members of the Guard are involved in the order permitting return to civilian jobs.

However, about 2000 Guardsmen have been deployed near the university.

Another 2000 or so are on two weeks of active duty training which they began last Sunday.

ALABAMA CAMPUS RETAINS ITS CALM

Two Negroes Attend Classes
—State Police Pulling Out

By HEDRICK SMITH
Special to The New York Times

TUSCALOOSA, Ala., June 12 — Two Negro students moved through the bustle of the first day of classes at the University of Alabama today without escort or incident.

The general atmosphere was more relaxed than during yesterday's Federal state show-down as the state police began turning in their guns and students hurried to their classes. Only a few National Guardsmen were seen on the campus.

Both Negro students, Vivian Malone and James A. Hood, had reported that they were getting along well so far.

Miss Malone, dressed in a white blouse, blue skirt and high heels, was the first of the two to leave her dormitory for an 8

(Continued on Page 11, Column 3)

o'clock class in political science. The 20-year-old Negro from Mobile and two other coeds left Mary Burke Hall, where they live, about 20 minutes early. They strolled across the main quadrangle, talking and occasionally laughing.

Three Federal marshals followed unobtrusively in an unmarked car. Across from Comer Hall, where Miss Malone had a class in political science, stood a single National Guardsman in a green fatigue uniform.

As she approached the building, she shook her head at the Federal men, presumably to indicate that she felt no need for protection.

About 10 minutes later, Mr. Hood, clad in a sports shirt and dark slacks, left Paty Hall alone. He walked briskly to his only class, a course in sociology in the Music and Speech Building.

Hood Feels Accepted

When he started to enter the wrong building, a man standing nearby shouted:

"Hey, Hood, over this way." The 20-year-old Negro from East Gadsden, realizing his mistake, snapped his fingers and turned on one foot.

After the 90-minute class, he told newsmen that he believed that he had "been accepted here just the same as any other student."

"I think the University of Alabama should be a model to the nation," he said. "I think the faculty, the students and the people of Tuscaloosa are to be commended. I am grateful and gratified. This is basically how I feel. All of the universities should take note of the situation here."

Only one comment occurred within earshot of newsmen to pierce the general air of acceptance.

As Mr. Hood neared the Music and Speech Building, a tall, blond white student turned to him and — with his hand cupped over his mouth — muttered:

"Hood, they got one in Jackson last night."

This was a reference to the murder in Jackson, Miss., of Medgar W. Evers, Mississippi field secretary for the National Association for the Advancement of Colored People.

Students Indifferent

The students generally seemed to be indifferent to the two Negroes, neither overfriendly nor openly hostile. Both have become involved in conversations with other students in their dormitories. Mr. Hood said that his meals were going more easily than his first lunch on campus yesterday.

The campus remained barricaded and under police guard today, but security restrictions were relaxed. Previously, all visitors were required to show passes, but a number entered the campus today without being required to show them.

About 525 of the 825 state policemen who have been stationed here left the Tuscaloosa area today.

Gov. George C. Wallace, in a telegram to President Kennedy this morning, said that the withdrawal of troops was being made because the Federal Government had "assumed full responsibility for the presence of Negro students and for preserving peace and order on the campus at the University of Alabama."

The Governor said that the final contingent of troops would depart Friday afternoon.

A Federal Government spokesman said that there were about 2,600 Federalized National Guardsmen in the Tuscaloosa area to "maintain law and order" and support local civilian authorities.

Most of the guardsmen, under the command of Brig. Gen. Henry V. Graham of Birmingham, are members of the 31st Troop Division of the Alabama National Guard. They were federalized yesterday to insure compliance with Federal Court desegregation orders.

Huntsville Is Calm

By JACK LANGGUTH
Special to The New York Times

HUNTSVILLE, Ala., June 12 — Residents and fellow students will evidently give Dave M. McGlathery the kind of reception he prefers tomorrow when he becomes the first Negro to register at the University of Alabama Extension Center here.

There has been every indication that his enrollment will be met by virtually unanimous indifference.

Mr. McGlathery, a 27-year-old mathematician at the George C. Marshall Space Flight Center here, has been reported restive since an agreement was reached in Federal Court for him to register two days after Vivian Malone and James A. Hood entered the university's main campus at Tuscaloosa Tuesday.

At the one-building Extension Center, several miles from downtown Huntsville, a handful of state troopers and city policemen have been on guard since Saturday.

Although Mr. McGlathery's pending enrollment has stirred no noticeable activity in Huntsville, the Rocket City is nonetheless a distinctly Southern community, with some persisting habits of segregation.

The Federal Government, which last year paid \$10,000,000 in salaries to Huntsville scientists and technicians, has reshaped a town with a 25,000 population in 1962 into a booming technical center, little different from Camp Park, Calif., or Cocoa Beach, Fla.

But until 1962, with about 14 Negro residents, it was a town with more Negroes than Birmingham, 50 miles to the south.

The two major Government plants, the Arnold Research Arsenal and the Marshall Flight Center of the National Aero-

nautics and Space Administration — are both fully desegregated.

"But Government workers here, particularly Southerners — see nothing illogical about eating with Negroes at the Arsenal cafeteria and perpetuating segregation in the town," one worker, a Northerner, said.

On Jan. 3, 1962, the Congress of Racial Equality began sit-ins at Huntsville lunch counters. CORE shortly afterward turned the campaign over to local Negro leaders.

Since then, protests toward total desegregation have been steady.

"It seems to take a little crisis, though, to take a step forward," one Negro observed.

A biracial committee was appointed by Mayor R. B. Searcy in March, 1962, for example,

shortly before the Rev. Dr. Martin Luther King Jr. was expected for a rally.

Last month, on the day before President Kennedy arrived in Huntsville for a visit, the city hired its first Negro policeman.

About 21,000 of Huntsville's 160,000 residents are on the Government payroll.

In a survey made last year by Huntsville integrationists, the two installations were found to employ 150 Negroes. About 76 of these held a Civil Service rank of GS-5 or higher.

Wallace Won't Be There
MONTGOMERY, Ala., June 12 (AP) — Governor Wallace, who is the University of Alabama president, Dr. Frank A. Tate, said today that he would not make a stand in the doorway at the Huntsville center, as he had once indicated.

JUN 13 1963

2 Negro Students Find Acceptance From Many

By Rex Thomas

TUSCALOOSA, Ala. June 12 (AP)—Two happy Negro students went peacefully to class at the University of Alabama today and found friendly acceptance from many white schoolmates.

But there was still a grim note of unreality on the histering hot campus as armed National Guardsmen kept watch on the Negroes' living quarters and U. S. marshals followed the two students at a discreet distance.

One group of white students clustered in front of campus buildings housed a 20-year-old James A. Hood walked past, but most students paid little attention to a hurried movement.

One white youth addressing Hood as Jimmy helped him by telling him he had taken a wrong turn.

Didn't Hear Nothing

With a smile Hood snapped his fingers, wheeled and marched briskly toward the classroom building. He told newsmen he didn't hear the hissing.

Vivian Malone, the other Negro admitted to the University under National Guard escort after Gov. Wallace's defiant stand against desegregation, received warm greetings from some classmates alike from others.

Two white girls fell in step alongside the 20-year-old Negro and chatted with her as she walked to her first classroom.

Another white crowd joined them as they walked quietly across the sprawling campus.

Hood's reaction to his first day at the University was "I feel that I have been ac-

cepted here. I think the University of Alabama should be a model to the Nation. I think the faculty, the students, and the people of Tuscaloosa are to be commended."

"I am grateful and gratified,"

Under orders from Wallace, state troopers and other state forces numbering in all nearly 700 began pulling out today.

Wallace wired President Kennedy that since the Federal Government had "assumed full responsibility for the presence of Negro students and for preserving peace and order," all the state forces would be gone by Sunday. Some 1200 federalized Alabama Guardsmen are on duty here.

An Army source said the total force of guardsmen on duty here would be built up to 1200. He said this number would be maintained only temporarily.

At the same time, the Army issued a statement referring to its duties in Tuscaloosa. The statement read: "The mission of U. S. Army forces in Tuscaloosa is to support civilian authorities in maintaining law and order and in removing obstructions to the execution of Federal court orders."

Would Be Available

This was understood to mean that the guardsmen would be available for duty, if necessary, off the campus and in the city.

"We're not going to take over," an authoritative Army source said. But he said that if the Tuscaloosa police force found it necessary to call for military help, it would be forthcoming.

Thursday's second day at the University of Alabama

branch at Huntsville, where Dave Mack McGlothery, 20-year-old Negro mathematician, is to be enrolled.

Sources close to Wallace said he had no plans to make a second doorway stand there, as he had once indicated. Ali was quiet at Huntsville today, and the expectation was that McGlothery would enter with

When the presence of the Negroes on the Tuscaloosa campus was almost unnoticed at times, some white students paused curiously to watch them go.

Coed Fainted

When Hood went to his first class, a white coed fainted. The University explained later that she suffered a muscle spasm and had undergone a similar attack about three years ago.

Dr. James McLester, director of student health, said, "I don't feel that the spasm was related to the Negro man being present."

Hood walked from his dormitory to the student cafeteria nearly for breakfast and ate alone in the crowded dining room. He attended a movie on the campus last night with white classmates.

One discordant note came from Imperial Wizard Robert M. Shelton of the Ku Klux Klan. Shelton threatened economic reprisals against families of white students who "let the Negroes on the back."

The Klan leader had called on his followers earlier to withhold their patronage from Tuscaloosa merchants who questioned the Governor's stand in the doorway fight against desegregation of the

WASHINGTON POST-TIMES HERALD

JUN 21 1963

Troops to Be Cut At Alabama U.

Associated Press

Only about 300 Alabama National Guardsmen will be kept in active Federal service after Monday as peacekeepers in the University of Alabama desegregation situation, the Army announced yesterday.

Of the 17,000 Guardsmen Federalized June 11 after Gov. George C. Wallace moved to bar two Negro students from admission to the university, 13,000 were released from duty last weekend. The Army said most of the others will be freed Sunday and Monday.

NEW YORK TIMES

JUN 18 1963

Wallace Rejects President's Bid To Ease Conditions in Alabama

MONTGOMERY, Ala., June 17 (AP) — Gov. George C. Wallace today answered President Kennedy's telegram with the charge "you have created a situation existing in Tuscaloosa, Ala." and he said the President "must assume the responsibility."

Wallace cannot insure absolutely the personal safety of individual students. "You cannot usurp the powers reserved to the State of Alabama and then place the burdens thereby created on my shoulders," Mr. Wallace continued.

The Governor's statement came in a telegram to the President called the National Guardsmen in answer to one from the President calling on "consulting me or without even Governor Wallace" to take the necessary steps "that would the United States." The Governor permit release of Alabama's nor did not elaborate on what federalized National Guard, statutes he thought the President.

The President said the Guardsmen had violated. Mr. Wallace would be kept under Federal order.

Until it was assured that "Therefore, the defederalization of the Guard is a matter of law and order at the University of Alabama. The University of Alabama was federalized when dated by your calculated attempt to pass to me the responsibility for the duration of duty at the university last week of the National Guard.

When two Negroes were enrolled "Surely you realize that a continuous cause of the tension there."

"I can and will guarantee that in Alabama is the presence of there will be no sustained violence by the three Negro students on the campus of the University and Mr. Wallace said in the telegram I suggest that you immediately secure their withdrawal."

JUN 18 1963

Alabama U. Patrolled by State Police

TUSCALOOSA, June 17 (UPI)—A force of about 100 state troopers were on the campus of the recently integrated University of Alabama today, the result of an apparent change of mind on the part of Gov. George Wallace. State public safety director Al Lingo said yesterday he received orders from the Governor to maintain the force in the event of disorders following the enrollment of two Negroes last Tuesday at the University. Wallace had notified President Kennedy Wednesday he was no longer responsible for peace and order on the campus and gradually would withdraw the 800-man State force assembled last week for the integration.

The Governor said Kennedy had assumed responsibility for the safety of the two Negro students and maintenance of order by federalizing the Alabama National Guard and moving units onto the campus. The final phase for the State force withdrawal would be completed by Sunday, Wallace told the President last week.

Safety Is Presidential Burden, Wallace Says

MONTGOMERY, June 17 (AP)—Gov. George Wallace of Alabama today answered President Kennedy's telegram with the charge "you have created situation existing in Tuscaloosa, Ala. and said the President 'must assume the responsibility'."

The Governor's statement answered President Kennedy's appeal to Wallace "to take the necessary steps" that would permit release of Alabama's federalized National Guard.

NEW YORK TIMES
JUN 14 1963

In The Nation

The Great Sham Battle of Tuscaloosa

By ARTHUR KROMK

WASHINGTON, June 13 Governor Wallace pledged to the people of his state that he would never "obey" a Federal court order to integrate the University of Alabama. He also pledged he would prevent the eruption of violence that otherwise might be incited by his refusal. To concede that the Governor redeemed both pledges is, however, about all that can be said to his credit as commander of the resistance forces in the great and farcical sham battle of Tuscaloosa.

But, according to samplings by some reporters from North of Mason-Dixon, Democratic politicians in Alabama, including members of the Legislature, give the Governor a higher score in local public opinion and throughout the South. The bases of this calculation apparently are:

1. Wallace did "submit" to the school integration he had promised the voters who elected him absolutely to prevent. But he did so only after he had forced President Kennedy to employ military means to effect the Federal court order, involving a political risk in the South Mr. Kennedy sought to the last to avoid taking.

2. The people of Alabama recognize that, in submitting only "at the bayonet's point," the Governor was accepting a higher responsibility than the redemption of a campaign promise. The priority of the higher responsibility was put beyond question by the President when he Federalized the National Guard of Alabama. Thereby the alternative of submission was to impose Federal military rule on Alabama by its own soldier-citizens at the probable cost of fratricidal strife.

It may be that this is an accurate evaluation of the local and regional effects of the Governor's performance at Tuscaloosa. But will it survive the critical analysis which will surely be made by fellow Democrats and other opponents of Wallace's policies that led up to his departure from the "door" of Foster Hall?

For instance, Wallace was very careful to stop short of the role of martyr to the cause he described in his campaign and in his inaugural speech. "From this day," he said to the people Jan. 14, 1963, as Governor-elect, "from this hour, from this minute, we give the word of a race of honor that we will tolerate their [the Federal Government's] boot in our face no longer. . . . From this day we are standing up, and the heel of tyranny does not fit the neck of an upright man."

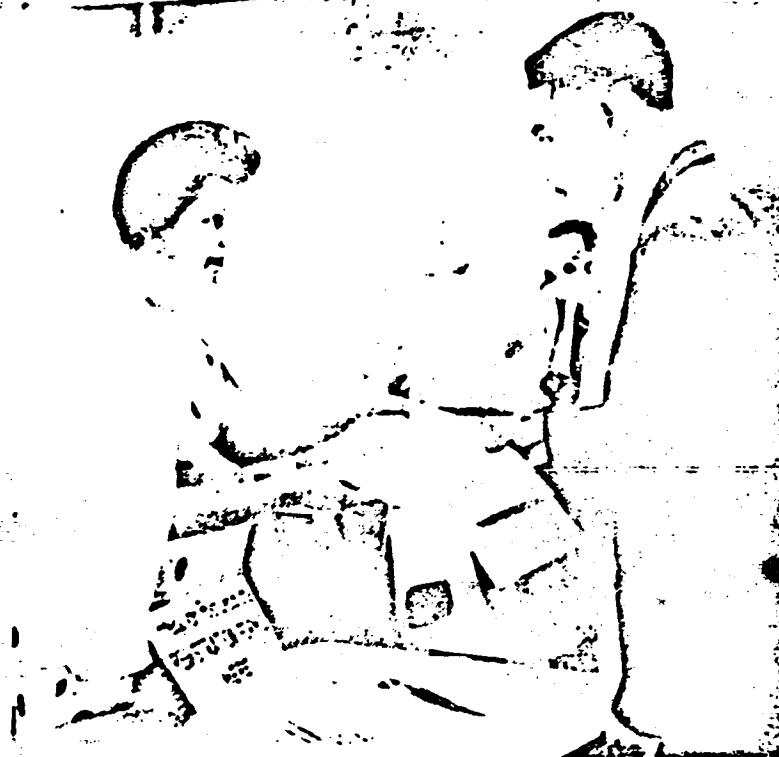
But Negroes are now enrolled in the University, one passing through a "door" at Huntsville with Wallace far away. And, instead of the acceptance of the contempt of court and jail sentence that shows the stuff of which martyrs are made, the Governor is moving free and easy around Alabama.

A Balk at the Last Ditch

It is significant also, of a prudence not to have been anticipated in the fiery campaign and inaugural promises, that Wallace never fully tested the "due process" which he said the Federal courts have violated in their anti-discrimination decisions. He never made a move to appeal to the Supreme Court the injunction order issued by Federal Judge Lynne, although to do so would have been to complete his recourse to due process. The reason, of course, was that the Governor knew the point of his resistance had been continuously rejected by the Supreme Court. So, in order to sustain his post-election, revised position—that he would never "defy" a Federal court order—he was obliged to bypass the highest tribunal if he was to keep his promise to "stand in the door."

The critical analysis must also take note of the fact that the Governor's temporary blockade of the portal to Foster Hall gave President Kennedy the timing he was seeking for his speech last Tuesday night. This was the "speech with a heart," an organ of Presidential oratory that many had found lacking in previous utterances on the racial discrimination issue. And, as the most highly publicized entry-blocker since Horatius at the bridge and Nivelle at Verdun, the Governor furnished some of the best material, including pictorial, that ever has been given free of charge to anti-American propaganda all over the world.

Finally, it would seem that in Alabama, Wallace has hurt his chances of replacing Senators Hill or Sparkman by providing them with an out from their total segregation stand. They can effectively argue that he has proved by his own retreat that the war to preserve free choice, free enterprise and private property rights can't be won on this front.



Negro Dave McGlathery registers at the previously all-white University of Alabama extension center at Huntsville, Ala.—AP Wirephoto.

Many in Alabama Guard Return to Their Jobs

HUNTSVILLE, Ala., June 14 (AP) — Thousands of Alabama National Guardsmen returned to their civilian jobs today after being ordered to return to the University of Alabama system by the state government.

James M. McGlathery, a 25-year-old mathematician at the University of Alabama, registered at the Huntsville extension center yesterday.

Later, he took a class for his first class in "Statistics and Mathematics" at the extension center.

McGlathery said the new class would be difficult but he was determined to stay with it. He said he had been ordered to return to his job by the state government.

McGlathery was registered at the Huntsville campus. He was determined to return to his job at the University of Alabama. He said he had been ordered to return to his job by the state government.

McGlathery was registered at the Huntsville campus. He was determined to return to his job at the University of Alabama. He said he had been ordered to return to his job by the state government.

McGlathery was registered at the Huntsville campus. He was determined to return to his job at the University of Alabama. He said he had been ordered to return to his job by the state government.

McGlathery was registered at the Huntsville campus. He was determined to return to his job at the University of Alabama. He said he had been ordered to return to his job by the state government.

McGlathery was registered at the Huntsville campus. He was determined to return to his job at the University of Alabama. He said he had been ordered to return to his job by the state government.

McGlathery was registered at the Huntsville campus. He was determined to return to his job at the University of Alabama. He said he had been ordered to return to his job by the state government.

McGlathery was registered at the Huntsville campus. He was determined to return to his job at the University of Alabama. He said he had been ordered to return to his job by the state government.

McGlathery was registered at the Huntsville campus. He was determined to return to his job at the University of Alabama. He said he had been ordered to return to his job by the state government.

McGlathery was registered at the Huntsville campus. He was determined to return to his job at the University of Alabama. He said he had been ordered to return to his job by the state government.

McGlathery was registered at the Huntsville campus. He was determined to return to his job at the University of Alabama. He said he had been ordered to return to his job by the state government.

McGlathery was registered at the Huntsville campus. He was determined to return to his job at the University of Alabama. He said he had been ordered to return to his job by the state government.

McGlathery was registered at the Huntsville campus. He was determined to return to his job at the University of Alabama. He said he had been ordered to return to his job by the state government.

McGlathery was registered at the Huntsville campus. He was determined to return to his job at the University of Alabama. He said he had been ordered to return to his job by the state government.

McGlathery was registered at the Huntsville campus. He was determined to return to his job at the University of Alabama. He said he had been ordered to return to his job by the state government.

McGlathery was registered at the Huntsville campus. He was determined to return to his job at the University of Alabama. He said he had been ordered to return to his job by the state government.

McGlathery was registered at the Huntsville campus. He was determined to return to his job at the University of Alabama. He said he had been ordered to return to his job by the state government.

Return to Normal

McGlathery was registered at the Huntsville campus. He was determined to return to his job at the University of Alabama. He said he had been ordered to return to his job by the state government.

McGlathery was registered at the Huntsville campus. He was determined to return to his job at the University of Alabama. He said he had been ordered to return to his job by the state government.

McGlathery was registered at the Huntsville campus. He was determined to return to his job at the University of Alabama. He said he had been ordered to return to his job by the state government.

McGlathery was registered at the Huntsville campus. He was determined to return to his job at the University of Alabama. He said he had been ordered to return to his job by the state government.

McGlathery was registered at the Huntsville campus. He was determined to return to his job at the University of Alabama. He said he had been ordered to return to his job by the state government.

McGlathery was registered at the Huntsville campus. He was determined to return to his job at the University of Alabama. He said he had been ordered to return to his job by the state government.

McGlathery was registered at the Huntsville campus. He was determined to return to his job at the University of Alabama. He said he had been ordered to return to his job by the state government.

McGlathery was registered at the Huntsville campus. He was determined to return to his job at the University of Alabama. He said he had been ordered to return to his job by the state government.

JUN 1 1963



ENROLLS AT HUNTSVILLE: Dave Mack McGlathery getting help yesterday in preparing his application for courses at the extension of the University of Alabama.

M'GLATHERY WARY OF BEING SYMBOL

But Student was Admant on Attending University

HUNTSVILLE, Ala., June 11 — As a student at the extension of the University of Alabama, Dave Mack McGlathery was yesterday getting help in preparing his application for courses at the extension of the University of Alabama.

Mr. McGlathery, a Negro, is a 21-year-old student at the extension of the University of Alabama at Huntsville. He is the first Negro to enroll at the extension of the University of Alabama.

Mr. McGlathery is a member of the St. Bartley Primitive Baptist Church in Huntsville. He is a mathematician at the Marshall Space Center.

Mr. McGlathery is a member of the St. Bartley Primitive Baptist Church in Huntsville. He is a mathematician at the Marshall Space Center.

Mr. McGlathery is a member of the St. Bartley Primitive Baptist Church in Huntsville. He is a mathematician at the Marshall Space Center.

Mr. McGlathery is a member of the St. Bartley Primitive Baptist Church in Huntsville. He is a mathematician at the Marshall Space Center.

Mr. McGlathery is a member of the St. Bartley Primitive Baptist Church in Huntsville. He is a mathematician at the Marshall Space Center.

Mr. McGlathery is a member of the St. Bartley Primitive Baptist Church in Huntsville. He is a mathematician at the Marshall Space Center.

Mr. McGlathery is a member of the St. Bartley Primitive Baptist Church in Huntsville. He is a mathematician at the Marshall Space Center.

Mr. McGlathery is a member of the St. Bartley Primitive Baptist Church in Huntsville. He is a mathematician at the Marshall Space Center.

Mr. McGlathery is a member of the St. Bartley Primitive Baptist Church in Huntsville. He is a mathematician at the Marshall Space Center.

Mr. McGlathery is a member of the St. Bartley Primitive Baptist Church in Huntsville. He is a mathematician at the Marshall Space Center.

"He thought," according to a closer friend, "he could win the white man with love." Mr. McGlathery is a beginning minister at St. Bartley Primitive Baptist Church, and he has talked about giving up his job as a mathematician at the Marshall Space Center to enter a seminary.

Mr. McGlathery went through elementary schools in Huntsville, and graduated magna cum laude from Alabama Agricultural and Mechanical College, a Negro school.

"It's a glorified high school and it's no longer accredited," one of the college's instructors said. "I've said I very well have even said."

He joined the Navy and was stationed at the United States Naval Weapons Laboratory in Virginia. Upon discharge, he returned to Alabama and was hired by the Marshall Center where he is now a GS-7 on the Civil Service scale. The job pays in the \$6,000 range.

Employees at the center are encouraged to continue their education. The Government will pay tuition and expenses for those who wish to take courses at the University of Alabama extension campus. Whether a man has available himself to the opportunity can affect his promotion.

Mr. McGlathery, husband of a Huntsville school teacher, applied at the University for a course entitled "Introduction to Atomic and Nuclear Physics." He is studying deductive algebra.

His supervisor at the National Aeronautics and Space Administration Center told him NASA was under pressure from the University of Alabama to urge him to withdraw his application. But the supervisor also supported Mr. McGlathery when he decided to press for admission.

But when the application was submitted, it was rejected. Mr. McGlathery, however, refused to be discouraged.

"I'm certainly not a symbol," he said, "and I'm not interested in being one. I'm just a student."

He is a member of the St. Bartley Primitive Baptist Church in Huntsville. He is a mathematician at the Marshall Space Center.

Mr. McGlathery is a member of the St. Bartley Primitive Baptist Church in Huntsville. He is a mathematician at the Marshall Space Center.

Mr. McGlathery is a member of the St. Bartley Primitive Baptist Church in Huntsville. He is a mathematician at the Marshall Space Center.

JUN 14 1963

NEW YORK TIMES

8D NEGRO ATTENDS ALABAMA U. CLASS

McGlathery on Huntsville Campus Without Incident

By HEDRICK SMITH
Special to The New York Times

HUNTSVILLE, Ala., June 12 — A third Negro enrolled in the University of Alabama at its extension center here today with expected ease. Several hours later he attended his first class.

Compared with the melodrama of Gov. George C. Wallace's "stand in the schoolhouse door" at Tuscaloosa Tuesday, the registration was uneventful.

Having bowed to Federal troops to permit the entrance of two Negroes to the Tuscaloosa campus, the Governor did not appear here.

Nor did any other state official attempt to block the admission of the Negro, Dave M. McGlathery, a 27-year-old mathematician for the Federal Government and a Navy veteran.

Mr. McGlathery, born and educated in Huntsville, walked into the two-story brick extension center by himself shortly before 11 o'clock this morning. He had driven alone to the campus at the outskirts of town.

Except for the presence of about 20 state and local policemen and the fact that the registration was two days later than normal, the procedure was routine. It was planned that way by university and Federal officials and Mr. McGlathery's attorney, Charles Morgan Jr. of Birmingham.

The Huntsville Center has about 750 students signed for summer courses. But only a few late registrants were present when Mr. McGlathery appeared. No Federal troops were in sight though a detachment of about 60 Federalized National Guardsmen was posted elsewhere in town.

Appear at Windows

The greatest interest in the Negro student's arrival was exhibited by the Negro janitors and a Negro maid.

The three Negroes appeared at second-story windows as Mr. McGlathery, a slender Negro dressed conservatively in a charcoal gray suit, white shirt and dark tie, strolled leisurely to the center from the campus parking lot 100 yards away.

All three Negroes watched intently as he left the center 40 minutes later.

One janitor, a stout, middle-aged man, was so amused by the attention given the young Negro that he broke into a loud laugh as Mr. McGlathery was filing out his registration forms inside the center.

Mr. McGlathery, who appeared nervous at times and exchanged a bare minimum of conversation with university officials, paid no attention to the laughter.

The maid nearly bumped into the student in one of the hallways and whispered "Hi" to him as he passed. Again, he paid little heed.

Both Mr. McGlathery and university officials later expressed pleasure that the registration had gone without a hitch. J. Jefferson Bennett, the university's administrative vice president, also reported another quiet day at the Tuscaloosa campus for the two Negroes enrolled there.

Notes Challenge

When he emerged from the center, Mr. McGlathery commented he had little to say except "that this represents a new challenge for me and it's up to me to make good of it, not necessarily for the sake of my race but for the sake of myself."

He said he felt his quiet reception "speaks very well for the city of Huntsville, the State of Alabama, and the country as a whole."

"We realize there are many problems but we believe we can work the most to make this nation a greater nation," he added.

Mr. Bennett said Mr. McGlathery's admission meant that the university officials had "completed their responsibilities to the court" which ordered admission of three Negroes at the summer session.

"Now we are anxious to get on with our work which is the teaching of these fine students," Mr. Bennett concluded.

Mild Interest Shown

Huntsville citizens seemed to take the desegregation here in stride and with only mild interest.

"It's not going to affect me, why should I worry?" said a restaurant cashier. "Everybody's too busy around here to be concerned about that."

This north Alabama city is a bustling space-age boom town. Roughly 24,000 of its 100,000 residents work for the Federal Government, either at the Army's Redstone Arsenal or the Marshall Flight Center of the National Aeronautics and Space Administration.

All facilities at the two Federal complexes are desegregated, though only a few Negroes hold middle- or high-grade Government jobs.

During the last 18 months most of the city's lunch counters have been desegregated. Negroes can use city parks and libraries, though not swimming pools. Major hotels and restaurants still have color barriers.

Mr. McGlathery took time off from his job at the Marshall Flight Center to register for a three-credit night-school course in abstract algebra. The class, which meets Tuesdays and Thursdays, had its first session tonight between 5:30 and 7:30.

Policemen sealed off the campus, which is in a large open field just off a dual-lane highway to all persons but students, faculty and reporters. About 20 officers were posted around the campus.

Huntsville Entry Quiet, Orderly

Alabama Enrolls Its Third Negro

By Laurence Stern
Staff Reporter

HUNTSVILLE, Ala., June 13 (AP)—Dave M. McGlathery, 27-year-old Government space technologist, took time off from work today and became the first Negro to enter the University of Alabama's extension center here.

His only confrontations were with a registrar and a counselor.

He drove to the campus and left it, unescorted, in a gray 1959 Buick. It all took less than an hour. There were no incidents.

In this manner, McGlathery became the third Negro student enrolled in the University of Alabama since Tuesday.

Vivian J. Malone and James A. Hood were admitted earlier to the school's main branch in Tuscaloosa after Gov. George C. Wallace first barred the door, then yielded to Federalized Guardsmen.

All three were admitted under Federal court order.

At the Huntsville campus today there were only scattered groups of highway patrolmen and city police who had little to do but perspire

under the steaming morning frock was working on her maid and janitor were now listening solemnly.)

A small contingent of Federalized Guardsmen was on call at the nearby Red-stone Arsenal, where McGlathery is employed as a G-7 mathematician.

The sparsely-built young Negro drove slowly onto the campus shortly before 11 a. m. and parked at the rear of the student lot. Dressed in a charcoal gray suit, he walked with a long, measured stride the 100 yards to the front door, without glancing sideways at the waiting line of police and news cameras.

Deputy U. S. Attorney General Nicholas de B. Katzenbach and chief U. S. Marshal James McShane had left an hour earlier.

McGlathery then walked the seven steps into the main hallway and began the formality of registration. His reception by officials was polite, sometimes friendly.

McGlathery sat down at a table two seats away from a white student, Terry P. Dickey of Huntsville. At the next table an attractive brunette in an orange and white summer

At one point a Negro janitor peeked into the room, looked at the waiting crowd of newsmen and burst out in a resounding belly laugh.

Later, as McGlathery made his way to another room, he passed a Negro maid who had been standing in the hallway. "Hi," she said barely audibly. McGlathery stepped out in front of the four white columns of the center after registering and made a brief statement to newsmen.

"I don't have very much to say at this time," he said in a soft, controlled voice, "only that this represents a new challenge for me and it is up to me to make good of it—not necessarily for the sake of my race but for the sake of myself."

"I think this situation speaks very well for the city of Huntsville, the State of Alabama and the country as a whole."

(From a window above, the

"We realize," McGlathery continued, "that there are still many problems facing us but we believe that we can work them out to make this Nation a greater Nation."

Then, alone, he walked the 100 yards back to his car and drove slowly off the campus.

JUN 11 1963

U. S. Moves Made at Alabama U. All Felt Out as Action Unfolded

By James E. Clayton
Staff Reporter

The desegregation of the University of Alabama last Tuesday went so smoothly that it looked as if the actions in the drama had been carefully prearranged. But Department of Justice officials here and in Alabama state emphatically that there was no prearrangement or deal.

Assistant Attorney General Burke Marshall said in an interview yesterday that Federal officials never told Wallace or any of his aides of their plans for Tuesday.

In fact, Marshall said, the Department of Justice did not fix upon a course of action until Tuesday morning. Just a few hours before Deputy Attorney General Nicholas deB. Katzenbach faced Gov. George C. Wallace at the entrance to the University's Foster Hall.

"We left every alternative open to the last minute," Marshall said. "We didn't know what Wallace was going to do, and he didn't know what we were going to do."

Neither Attorney General Robert F. Kennedy nor Marshall talked to Wallace between their visit to Alabama in April and last Tuesday. In fact, Wallace refused at least once to accept a telephone call from Kennedy. Marshall, the Attorney General's top adviser on civil rights, said President Kennedy never talked to Wallace about how the show at the University would go.

This contrasted with Little Rock and Oxford, where there was much direct communication between the Federal Government and State officials.

At one stage, Marshall said, it was decided that the President's proclamation directing Wallace to "cease and desist" from interfering with the enrollment of the two Negroes would be issued on Monday.

Later, a decision was made to issue it only if Wallace turned Katzenbach away at the door. Finally, on Tuesday morning, a decision was made to issue it before Katzenbach went to the door the first time.

University officials were never told that if the Govern-

The Justice Department had other and made a guess about how the other would react if it proceeded in certain ways. A bad guess in a labor negotiation would result in a strike; a bad guess at Tuscaloosa might have led to another Oxford.

These feelers were made in dozens of ways. Politicians here and in Alabama talked to both sides; businessmen were active in relaying intelligence.

In some ways, the show down on Tuesday resembled a tense labor negotiation in which each side felt out the other and made a guess about how the other would react if it proceeded in certain ways. A bad guess in a labor negotiation would result in a strike; a bad guess at Tuscaloosa might have led to another Oxford.

"We guessed right," Marshall said rather grimly, "and it all went smoothly."

JUN 14 1963

U. S. Moves Made at Alabama U. All Felt Out as Action Unfolded

By James E. Clayton

Staff Reporter

The desegregation of the University of Alabama last Tuesday went so smoothly that it looked as if the actions in the drama had been carefully prearranged. But Department of Justice officials here and in Alabama state emphatically that there was no prearrangement or deal.

Assistant Attorney General Burke Marshall said in an interview yesterday that Federal officials never told Wallace or any of his aides of their plans for Tuesday.

In fact Marshall said, the Department of Justice did not fix upon a course of action until Tuesday morning, just a few hours before Deputy Attorney General Nicholas deB. Katzenbach faced Gov. George C. Wallace at the entrance to the University's Foster Hall.

"We left every alternative open to the last minute," Marshall said. "We didn't know what Wallace was going to do and he didn't know what we were going to do."

Neither Attorney General Robert F. Kennedy nor Marshall talked to Wallace between their visit to Alabama in April and last Tuesday. In fact, Wallace refused at least once to accept a telephone call from Kennedy. Marshall, the Attorney General's top adviser on civil rights, said President Kennedy never talked to Wallace about how the show at the University would go.

This contrasted with Little Rock and Oxford, where there was much direct communication between the Federal Government and State officials.

At one stage, Marshall said, it was decided that the President's proclamation directing Wallace to "cease and desist" from interfering with the enrollment of the two Negroes would be issued on Monday.

Later, a decision was made to issue it only if Wallace turned Katzenbach away at the door. Finally, on Tuesday morning, a decision was made to issue it before Katzenbach went to the door the first time.

University officials were never told that if the Governor refused to let the Federal officers pass, the two Negroes would be escorted to their dormitories, Marshall said.

Katzenbach, it is understood, was not sure when he started toward the dormitories with the students whether the State troopers would let them through the police line. Nor was he sure whether, when Wallace left, he would take the State police with him.

It was this latter fear that led Federal officials to bring in nationalized Guardsmen in force. The riot on the campus of the University of Missisippi last fall broke out after State police withdrew and left the campus wide open to troublemakers.

The Justice Department had other and made a guess about how the other would react if it proceeded in certain ways. A bad guess in a labor negotiation would result in a strike; a bad guess at Tuscaloosa might have led to another Oxford.

These feelers were made in dozens of ways. Politicians here and in Alabama talked to both sides; businessmen were active in relaying intelligence. "We guessed right," Marshall said rather grimly, "and it all went smoothly."

By JAMES E. (19:30)

jurked by the Supreme Court and by most legal scholars and scholars by the 1920s, when it became clear that a narrow construction of the Constitution and a broad construction of the 1st Amendment made a 30th Amendment government impossible. In fact, the generally

Accepted for publication by the late Chief Justice Harlan Stone, who said it is nothing but a "truism" because it is generally "that all is relative" which has not been considered."

ALABAMA ADMITS NEGRO STUDENTS; WALLACE BOWS TO FEDERAL FORCE; KENNEDY SEES 'MORAL CRISIS' IN U.S.

PRESIDENT IS GRIM

Asks Help of Citizens
to Assure Equality
of Rights to All

Text of the President's speech
on Negro rights, Page 20.

By TOM WICKER

WASHINGTON, June 11

President Kennedy told the nation tonight that it faced a "moral crisis" as a result of the "rising tide" of Negro discontent. "This is a problem which faces us all in every city of the North as well as the South," Mr. Kennedy said in a brief address televised by all three national networks.

"It is a time to act, the President said. He promised to send to Congress next week sweeping legislation to speed school desegregation and open public facilities to every American regardless of color.

"Above all, Mr. Kennedy solemnly told the millions of citizens watching him speak from the White House, the problem of the Negro's place in American life "must be solved in the homes of every American across the country."

A Broad Appeal

The objective of every citizen, the President said, must be "for every American to enjoy the privilege of being American without regard to his race or color" — to be treated as one would wish his children to be treated.

Mr. Kennedy's address, arranged late today, was made in part as the result of the successful desegregation of the University of Alabama. But the President seized the occasion to make a broad appeal that Negroes and liberals of both parties had been urging upon him for weeks.

In the Alabama crisis, the Administration moved with smooth efficiency, its plans having been laid in advance. An Executive order federalizing the Alabama National Guard was ready for Mr. Kennedy's signature when the White House received word of Gov. George C. Wallace's defiance of court orders to integrate the university.

Mr. Kennedy devoted only a few opening sentences of his 15-minute speech to the Alabama events.

"This afternoon," he began, "following a series of threats and defiant statements, the presence of Alabama National Guardsmen was required" to carry out court orders admitting to the university at Tuscaloosa "two clearly qualified young Alabama residents who happened to have been born Negro."

Congratulates Students

The President congratulated other Alabama students on their peaceful behavior and said:

"I hope that every American, regardless of where he lives will stop and examine his conscience about this and other related incidents."

This is necessary, the President said, because of the position of the Negro in American life, which Mr. Kennedy described as follows:

"The Negro baby born in America today . . . has about one-half as much chance of completing high school as a white baby, born in the same place, on the same day, one-third as much chance of becoming a professional man, twice as much chance of becoming unemployed about one-seventh as much chance of earning \$10,000 a year, a life expectancy which is seven years shorter and the prospects of earning only half as much."

This is not entirely a . . .

NEW YORK TIMES

JUN 12 1963

Dean Rostow's Position

TO THE EDITOR OF THE NEW YORK TIMES:

Foster Halley's useful article in The Times of May 26, summarizing recent events in Birmingham, reports that Prof. Louis H. Pollak "was asked [by me] to see what he could do to bring about a moderation of demands on the Negro side."

This statement is incorrect. The facts are these: On May 8 I was asked by a private citizen close to the negotiations in Birmingham for help in keeping channels of communication open. He is a person in whose judgment I have confidence. He believed that, despite the pressures and tensions of the moment, the underlying negotiating situation was characterized by good faith on both sides. I thought that both groups might well trust Professor Pollak, in view of his character and ability, and his long association with the N.A.A.C.P. Legal Defense Fund. After Professor Pollak checked to make sure that his efforts would be welcome, he flew to Birmingham.

I am informed that he did indeed help to facilitate the negotiations and thus contributed to advance a vital national interest.

EUGENE V. ROSTOW,
Dean, Yale University Law School.
New Haven, Conn., May 27, 1963.

JUN 12 1963

Reception at University Is Courteous and Curious

By HEDRICK SMITH
Special to The New York Times

TUSCALOOSA, Ala., June 11—Vivian J. Malone and James A. Hood, the two Negro students who entered the University of Alabama today, got a courteous and intensely curious reception from other students. Miss Malone was the first to break the ice. Not long after she entered Mary Burke Hall, she became involved in a gabfest with other girls in the dormitory.

"She's very attractive," one coed said afterward. "I don't think we'll have any trouble with her. She was calm. She wasn't nervous or close-mouthed. She acted very mature."

Another girl said she had been anxious to meet Miss Malone. "We enjoyed meeting her and talking to her," she said. "I'm glad she's on our hall."

A Different Reaction

The reaction of a third coed, from Birmingham, was different. "She has a right to be here," the student said. "But no one can be forced to accept her."

Miss Malone, tall and attractive in a pink sheath dress and bouffant hair-do, drew a wolf-whistle from one of the men's dormitory windows when she entered Foster Auditorium to register late this afternoon.

Mr. Hood, a 20-year-old transfer student from Clark College in Atlanta, spent most of the day in his single room in Palmer Hall. He was greeted by dormitory supervisors and had lunch across the street at Paty Hall after most of the other students had finished.

Very few bitter comments

Continued on Page 21, Column 6

GOVERNOR LEAVES

But Fulfills Promises to Stand in Door and to Avoid Violence

Text of Wallace proclamation
is printed on Page 20.

By CLAUDE SITTON

Special to The New York Times

TUSCALOOSA, Ala., June 11—Gov. George C. Wallace stepped aside today when confronted by federalized National Guard troops and permitted two Negroes to enroll in the University of Alabama. There was no violence.

The Governor, flanked by state troopers, had staged a carefully planned show of defying a Federal Court desegregation order.

Mr. Wallace refused four requests this morning from a Justice Department official that he allow Miss Vivian Malone and James A. Hood, both 20 years old, to enter Foster Hall and register.

Keeps Campaign Pledge

This was in keeping with a campaign pledge that he would "stand in the schoolhouse door" to prevent a resumption of desegregation in Alabama's educational system.

The official, Nicholas deB. Katzenbach, Deputy Attorney General, did not press the issue by bringing the students from a waiting car to face the Governor. Instead, they were taken to their dormitories.

However, the outcome was foreshadowed even then. Mr. Katzenbach told Mr. Wallace during their confrontation:

"From the outset, Governor, all of us have known that the final chapter of this history will be the admission of these students."

Troops sent to Campus
Units of the 21st (Dixie) Division, federalized on orders from President Kennedy, arrived on the campus four and a half hours later under the command of Brig. Gen. Henry V. Graham.

A Birmingham real estate executive in civilian life, General Graham is the former State Adjutant General who enforced modified martial law in Montgomery, the state capital, following the Freedom Rider riots in 1961.

General Graham told Governor Wallace "it is my sad duty" to order the latter to step aside. Mr. Wallace read the second of two statements challenging the constitutionality of court-ordered desegregation and left the auditorium with his aides for Montgomery.

This sequence of events, which took place in a circus atmosphere, appeared to have given the Governor the face-saving exit he had apparently wanted.

Whether he actually defied the order issued last Wednesday by District Judge Seybourn H. Lynne in Birmingham remained to be seen. Significantly, Edwin O. Guthman, special assistant for information to Attorney Gen-

Continued on Page 20, Column 1



CONFRONTATION: Gov. George C. Wallace of Alabama, left, blocks the entrance to Foster Auditorium at University of Alabama as Nicholas deB. Katzenbach, Deputy Attorney General, attempts to get two Negroes enrolled.

Supporters Claim a Victory

Wallace's Defiance Leaves Him High In Alabama Saddle

JUN 13 1963

By Robert E. Baker

Staff Reporter

TUSCALOOSA, Ala., June 12—Gov. George C. Wallace is sitting tall in the saddle in Alabama today following his show of defiance against the Federal Government yesterday.

The Governor managed to succeed in his plans. He forced the Federal Government to bring sufficient might on campus to satisfy his campaign and inaugural vow before he stepped aside to let two Negroes enter the University of Alabama. At the same time, he managed to maintain law and order.

So what did he accomplish?

In the first place, his ceremonial lecture on states' rights in the Foster Auditorium doorway here provided an appropriate backdrop for President Kennedy's lecture on civil rights to the Nation a few hours later.

Secondly, Alabamians are relieved that law and order prevail. If violence had broken out, Wallace would have suffered politically. As it is, he is being credited with spitting in the eye of the "central government" and maintaining law and order while doing it—and this has helped him politically.

Chances Ahead Seen

Members of the State Legislature in Montgomery, where Wallace has had trouble with his program, reported today that the Governor is riding high. Moderates in Alabama see in yesterday's outcome a great opportunity for Wallace. They reason that his big stand of defiance now is behind him and that the Governor has the chance to lead the State out of its concentration on segregation.

Wallace now has the chance to concentrate on building industry and education in a State which needs both and can make big strides if he will now play down the inflammatory aspects of the racial issue.

But whether Wallace will take advantage of the opportunity is an unanswered question. Some observers believe he has ridden the racial horse so long and so hard that it will be impossible for him to change gait, especially with his supporters claiming victory in yesterday's show.

Applauded by Klan

The Ku Klux Klan and the White Citizens Council both have applauded Wallace for his stand in the door. This would indicate that even the most adamant holdouts to desegregation are now embracing law and order. And yet, by nature the members of these groups are not prone to be satisfied with fighting

the battle in the courts where losses are the rule, and where Wallace has vowed to continue his fight.

The Governor has called for continued law and order. But whether it will continue is the question, because some of the violent segregationists, who now congratulate the

News Analysis

Governor's defiant stand yesterday, may realize the fact that, despite everything, the University of Alabama is desegregated and there is more to come. They would then realize that Wallace's version of non-violent defiance failed, and might take matters into their own hands.

The showdown in front of Foster Auditorium was a ceremonial affair, a ritual symbolizing the unyielding resistance of the segregationists' spirit. The Governor physically acted out the doctrine of interposition, which has no legal stature but is fondly admired in the South.

Impact May Be Fleeting

As yet, despite its certain grandeur and appeal, it would seem that the impact of the Governor's action upon the future of race relations was fleeting. It was eclipsed a few hours later by a bullet fired into the back of Medgar Evers, one of the South's most prominent Negro leaders in Jackson, Miss.

In the era of race relations, the Nation is treading a thin line between the rapid increase in Negro demands and slow acquiescence by whites.

Gov. Wallace presented a memorial to race relations of the past. The murder of Evers brought the issue back to the present.

Huntsville Due to Let Negro Enter

By Laurence Stern
Staff Reporter

HUNTSVILLE, Ala., June 12—The becalmed, sunbaked campus of the University of Alabama Extension Center here is awaiting the final anticlimactic act in Gov. George C. Wallace's desegregation drama.

It is expected that the Governor will follow his own previous advice to Alabamans and stay away from the campus when 27-year-old Negro mathematician Dave M. McGlathery appears to register between 2 and 3 p. m. Thursday.

McGlathery, a slight, quiet-spoken native of Huntsville who is employed in the nuclear and ion physics branch of the National Aeronautics and Space Administration's Marshall Space Flight Center, was admitted here under court order for graduate mathematics work.

"The course that Gov. Wallace sought to prevent him from taking is entitled: 'Series and Special Function, Legendre Polynomials, Bessel Functions, Fourier Series and Conbar Intervals.' He also hopes to take an additional course on the 'theory of differential equations.'"

Wallace originally announced he would stand in the doorway of the Extension Center here as he did on the main campus at Tuscaloosa Tuesday, to bar entry to McGlathery.

But sources close to the Governor have indicated that Wallace has decided to settle for the one confrontation he has had with Federal officials at Tuscaloosa.

JUN 13 1963

No Interference Seen

McGlathery is expected to show up for registration without interference. State Police, Federal marshals and a contingent of Federal troops are on hand in the area to insure against disorders.

McGlathery's court case is being financed principally by a group of local Negro and white residents and civic groups.

In contrast, the cases of Vivian J. Malone and James A. Hood, Negro students admitted at Tuscaloosa, are being financed by the NAACP Legal Defense Fund, Inc.

McGlathery originally applied for admission to the spring session last Feb. 11, along with another Negro employee at the pace center, Marvin P. Carroll. Both were rejected by the University.

It was then that he and his local supporters decided to take the case to court. The sponsoring group, called the Community Service Committee, is composed of Huntsville area Negro leaders who formed it early last year to carry out sit-ins at local lunch counters.

Has White Lawyer

McGlathery is being represented by a white Birmingham lawyer, Charles Morgan Jr., who last year successfully prosecuted a suit to reapportion the Alabama lower house. The case is now before the Supreme Court on the question of Senate reapportionment.

Morgan, a prominent Alabama Democrat who was a worker here in President Kennedy's 1960 campaign, is the only white lawyer active in school desegregation cases in Alabama. His name figures in speculation over who will succeed Wallace to the governorship three years hence.

In addition to the McGlathery case another significant court action growing out of Huntsville is an appeal of 17 sit-in convictions from early 1962. The Huntsville sit-in cases are headed for the Supreme Court and could become the basis for a final high court decision on the legality of sit-ins where there are no local segregation laws.

The Supreme Court has ruled against conviction of sit-in demonstrators under local segregation statutes but left open the question of whether demonstrators can be arrested at the order of proprietors serving the public.

MONTHS OF PLANNING

Justice Revised Tactics at 11th Hour

By MIRIAM OTTENBERG

Star Staff Writer

It was a long day for Attorney General Robert F. Kennedy—more than 13 hours on the job.

As it ended, shortly after 9 p.m. yesterday, the Attorney General reflected aloud: "Everybody is going to say it was so easy, but it could have been so tough."

Months of planning—dating back to the Attorney General's visit to Gov. George Wallace of Alabama in April—contributed to making the enrollment of James Hood and Miss Vivian Malone in the University of Alabama look easy.

But the final details of the strategy, according to the Attorney General himself, were not settled until 10 a.m. yesterday. It was then that Mr. Kennedy and Deputy Attorney General Nicholas de B. Katzenbach made their final decision on the exact words Mr. Katzenbach would use if Gov. Wallace made his promised stand in the schoolhouse door to block the admission of two Negro students.

It was also during these last minute strategy sessions that the decision was made to escort the students to their dormitories without registering rather than risk the unpleasant consequences of a face-to-face meeting of students and Governor.

On Phone Early

The Attorney General reached his Justice Department office at 8:45 a.m. yesterday, which was 6:45 a.m. in Tuscaloosa. Mr. Kennedy had started his day of telephone conferences with Mr. Katzenbach in Alabama nearly an hour earlier.

They had mapped out their strategy—considering all possible alternatives—before Mr. Katzenbach went to Tuscaloosa. Now they were revised. And the revisions were substantial.

It was like a fencing match. They had to be ready to parry every thrust by the Governor. But this was to be different from the sequence of events that took place at the University of Mississippi when Gov. Ross Barnett assured the President and the Attorney General there would be no trouble—and then withdrew police from the campus of "Ole Miss" when they were needed most.

This time there would be no private conferences with the Governor on the eve of the students' attempt to register. The only contact with Alabama authorities would be with the chief of the State police to make sure the campus would be controlled.

Documents Readied

Yesterday morning, once the day's strategy was fixed, the Attorney General spent the pre-noon hours with his aides,

whipping into shape the documents that probably would be needed before the students were able to register.

Two documents had to be ready—a presidential proclamation and an executive order.

Across the hall from the Attorney General's office, the press was gathering—a score of newsmen from northern and southern newspapers, television and radio men.

Within the Attorney General's office, at least ten of his top aides had gathered. Among them was Assistant Attorney General Burke Marshall in charge of the Civil Rights Division.

Eyes on TV Set

In front of the Attorney General's desk was a television set which he glanced at regularly to make sure he didn't miss the confrontation to come. A radio was beside his desk. On his desk was a set of push-buttons with an open line to Mr. Katzenbach's command post at the Army reserve headquarters in Tuscaloosa. And behind his desk was a bank of four telephones.

On tables and spread out on the floor were three yard-square maps—a road map of the Tuscaloosa area, a street map of the town and a sketch of the campus. He could follow the progress of the action via these maps.

Shortly after noon—three-quarters of an hour before the students appeared on the campus—the President issued the proclamation, whipped into final shape at the Justice Department.

The law was a section of the Armed Forces chapter of the United States Code entitled "Proclamation to Disperse." It says simply that "whenever the President considers it necessary to use the militia or the armed forces under this chapter, he shall by proclamation immediately order the insurgents to disperse and to the peacefully to their abodes within a limited time."

Two Main Purposes

The proclamation ordering the Governor to "disperse"—in other words to obey the orders of the court—was deemed to accomplish two purposes. It gave the Governor an opportunity to change his mind and to serve as the necessary prelude to armed intervention.

A similar proclamation on the day after tomorrow, was first used by President Grant in chief of the State police to 1871 as the basis of calling out the troops against the Ku Klux Klan in South Carolina.

President Grant had used the Army and militia to enforce the obedience to Federal laws, but the President Grant wanted the Congressional approval of a

law. Later the law in its original and recodified versions was used by President Cleveland to suppress the Pullman strike in 1894 and by President Eisenhower to enforce the court-ordered school desegregation at Little Rock, Ark., in 1957.

The Attorney General and President Kennedy were no strangers to the same law. It had last been invoked by President Kennedy to suppress the riots on the Ole Miss campus when James Meredith was admitted as the first Negro student last fall. At Mississippi, however, the riots had forced the President to telescope the action.

Instead of issuing the proclamation giving the governor a chance to obey and then issuing the executive order calling out the troops, the President was forced by the rioting on the Mississippi campus to proclaim and order at the same time. This time, as the strategists had worked it out, it would be more orderly. With no riots to worry about, the proclamation was issued in advance of the action.

Last-Minute Check

As the hour of confrontation approached, Mr. Katzenbach checked once more with the Attorney General before leaving the command post for the Alabama campus.

By radio telephone from the scene, by television and radio, the Attorney General followed the confrontation and its expected finale—Mr. Katzenbach escorting Miss Vivian Malone to her dormitory to await later developments.

Once the Negro students were settled in their dormitories, Mr. Katzenbach gave the Attorney General a briefing on the action.

The next step had to come from Washington—the executive order giving the go-ahead signal to the Defense Department to use the necessary Army or militia to enforce the laws of the United States. The President signed that order at 1:34 p.m.

While the Defense Department was putting out its orders Federalizing the Alabama National Guard, while the Negro students were lunching in their dormitory while Justice Department press officials were answering newsmen that as far as the department was concerned the Negroes had become students at the university except for the formality of registering, the Attorney General took a break.

Brief Breaks

About 3 p.m. he went for a 15-minute walk with Assistant Attorney General Marshall. He was back at his desk getting reports of the Alabama Na-

tional Guard, now Federalized, moving its position for the next confrontation when the White House sounded out the networks for evening time for Eisenhower to enforce the court address by the President.

The Attorney General left his command post again. About 5 p.m. he drove over to the White House with Mr. Marshall to confer briefly with the President.

He got back to the command post for Gov. Wallace's second appearance in the doorway of the college auditorium.

At 5:49, when Gov. Wallace had driven away from the campus and the students had gone through the line of Federalized guardsmen, theoretically the Attorney General's mission for the day was over.

But only theoretically. Photographers who had waited outside the Attorney General's door all day asked for permission to picture him at his desk. This time, as the strategists had worked it out, the Attorney General and Mr. Marshall put on their top jackets and posed—looking at the maps they didn't need any more.

The Attorney General then went to the White House to be with his brother during the address to the Nation. Then he returned to his Justice Department desk to go over the work that had piled up during the day in fields far removed from civil rights.

But before he checked out, he went to the telephone again. This time, he made thank you calls to the people of Tuscaloosa who had contributed to making a day of challenge look so easy.

Kennedy Asks Nation to Help Fight Race Bias

Outlines Proposals
For Rights Action,
Cites 'Moral Issue'

By CECIL HOLLAND
Star Staff Writer

With racial unrest rising throughout the country, President Kennedy has plunged into the battle for new legislation to end discrimination against Negroes.

The President carried his efforts to the people in a

Test of Kennedy Speech, Page A-10

Nation-wide radio and television appeal last night and warned that "the fires of frustration and discord" growing out of discrimination "threaten violence — and threaten lives."

In a somber speech in which he gave the broad outlines of legislative proposals he will send to Congress next week, Mr. Kennedy said the matter was a moral issue involving "whether we are going to treat our fellow Americans as we want to be treated."

The Negroes, freed from slavery 100 years ago, are not yet fully free, the President added, and the Nation "will not be fully free until all its citizens are free."

Guard Federalized

Mr. Kennedy made his speech a few hours after federalizing the Alabama National Guard and authorizing the use of whatever military force was necessary to enforce the court-ordered enrollment of two Negro students at the University of Alabama.

After Alabama's defiant Gov. George C. Wallace bowed to the show of Federal might and stepped aside to permit the enrollment of the two students, the President made only passing reference to the day's dramatic events in Tuscaloosa, the home of the university.

Instead he used the occasion of his long-delayed appeal to the Nation for an end to discrimination to urge support of all citizens and to outline his legislative program.

Proposals Listed

The President said he would propose legislation to:

1. Prohibit stores, hotels, restaurants and theaters from discriminating against Negroes.
2. Allow the Federal Government to take a more active part in court action aimed at desegregating schools.
3. Provide greater protection of the right of Negroes to vote.

But Republican congressional leaders who were called to the White House during the day to discuss with the President his forthcoming legislative proposals indicated the recommendations might go beyond the bare outlines given in the address.

FEPC Considered

One Republican leader said they were sounded on the possibility of including a provision for a Fair Employment Practices Commission in the legislative package.

Senate Republican Leader Dirksen, one of those who attended the unheralded White

See KENNEDY, Page A-3

JUN 12 1963

Negroes Start Classes After Wallace's Stand

Troops Assist Enrollment of 2
As Governor Bows to U. S. Power

By PAUL HOPE

Star Staff Writer

TUSCALOOSA, Ala., June 12.—Two Negroes attend their first classes today at what was until late yesterday the all-white University of Alabama.

Although Gov. George C. Wallace lost his fight to prevent integration of the university, there is considerable feeling among Alabamans that he defied the Federal Government and got away with it.

It took Federalized units of the State National Guard to force the enrollment after the Governor turned back Federal attorneys and a United States marshal who first tried to get the students into the university.

When it was over, an aide to Gov. Wallace said: "It looks to me like we won. The Governor defied a Federal court order."

Test, Wallace Says

The Governor was under a court injunction not to interfere with the enrollment of Vivian J. Malone and Jimmy A. Hood, both 20 years old. Gov. Wallace said his defiance of Federal authorities was for the purposes of testing the right of the Federal Government to force integration on the State.

But after he bowed to the United States Military and the integration was accomplished, there seemed to be little inclination on either side to carry the matter much further.

A source close to Gov. Wallace said he doubted that the Governor would go to Huntsville tomorrow when Dave McGlathery, another Negro, is scheduled to enter the University of Alabama's branch there.

"He made his point yesterday. I don't see why he would want to go to Huntsville," the source said.

Justice Makes Point

At the same time, Justice Department aides were emphasizing their view that Gov. Wallace never did turn back the two students, but rather halted the Federal aides who approached him while the students sat in a car.

Justice Altered Tactics at 11th Hour

Page A-4

Test of Wallace Statement, Page A-5

State officials apparently were unaware of it.

Robert Muckel, a 29-year-old biology teacher from Uppa, Mo., applied for summer classes at Alabama A&M without knowing it was a Negro institution. He registered by mail under a National Science Foundation grant and did not know it was a Negro school until he arrived in Huntsville. He decided to stay.

1,000 Police on Hand

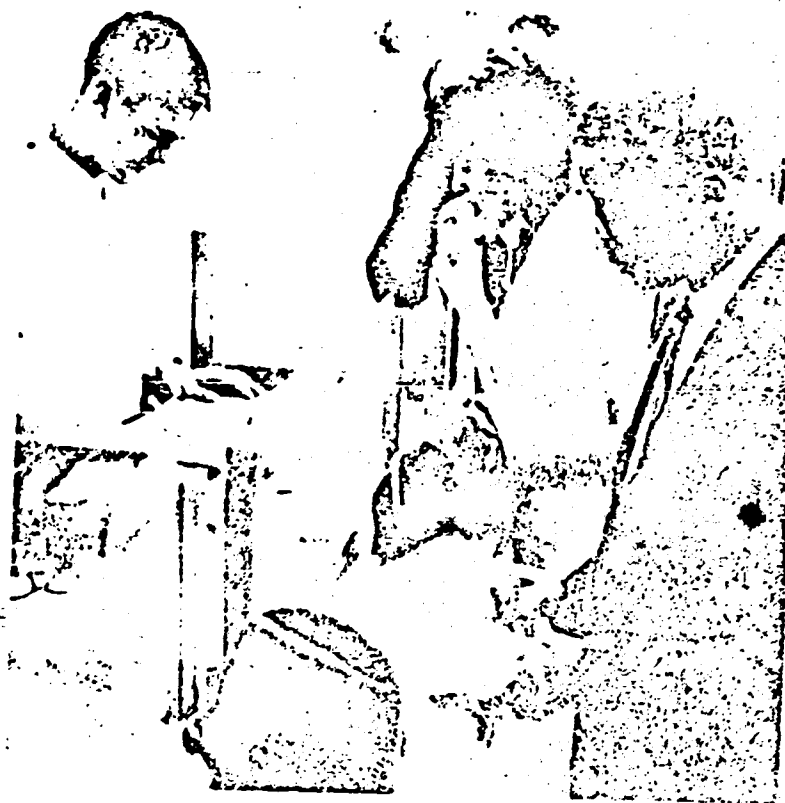
Gov. Wallace stood by his pledge to maintain law and order yesterday on the campus at Tuscaloosa. About 1,000 State and local policemen rined the campus and the building where the Governor made his stand.

The campus today was quiet and the atmosphere less tense than it has been for the past several days.

The integration story unfolded yesterday in 98-degree heat. Hundreds of reporters, State troopers and university officials clustered around Foster Auditorium for the fast-developing sequence of events.

Gov. Wallace arrived at Foster Hall about 11:50 a.m.

See ALABAMA, Page A-5



Arthur Moore and James Hood pay a visit to the University of Alabama. AP Wirephoto

ALABAMA

'Bitter Pill,' Says Wallace at Finish

Continued From Page A-1
(EDT) and told reporters there wouldn't be any violence, that he had nothing against anybody and was only interested in "preserving freedom and liberty under the Constitution."

He retired to the shade of the auditorium to await the students and Federal officials. On top of the building, police officers armed with high-powered rifles peered back and forth, and in the Law Building across from the auditorium students hung out the windows to watch the proceedings.

About 12:45 p.m. Mr. Hood and Miss Malone were driven to the front of the auditorium by Federal attorneys and United States marshals. Gov. Wallace stood in the doorway.

The much-heralded confrontation between State and Federal authority took place between the Governor and Nicholas B. Katzenbach, Deputy United States Attorney General.

The bantam-weight Governor, once Golden Gloves champion of the State, thrust out his chest and stuck out his arm to bar the entrance of Mr. Katzenbach who was accompanied by Macon Weaver, United States attorney for the area, and Peyton Norville, Jr., United States marshal for the district.

"Don't Need Speech"

"I come here to ask you for an unconditional assurance that you will permit these students, who after all merely want an education in this great institution . . . Mr. Katzenbach began.

He was cut short by the Governor who said, "Now you make your statement, because we don't need you to make a speech."

Mr. Katzenbach asked the Governor for assurances that he would step aside and not bar the entry of the students.

A State trooper placed a helmet in front of the Governor, and the Governor began reading his statement of defiance.

"The unwelcome, unwarranted and force-induced intrusion upon the campus of the University of Alabama today of the might of the central Government offers frightful example of the oppression of the rights, privileges and sovereignty of this State by officers of the Federal Government," the Governor said.

Sees Violation of Rights

He said the Federal action was in violation of rights reserved to the States by the Constitution.

"I stand here unwilling today, as Governor of this sovereign State, and refuse to willingly submit to illegal usurpation of power by the central Government. . . . It is not defiance for defiance sake, but for the purpose of raising basic and fundamental constitutional questions. . . . My action seeks to avoid having State sovereignty sacrificed on the altar of political expediency."

He ended his five-page statement with the declaration that "I, as Governor . . . forbid this illegal and unwarranted action by the central Government."

Mr. Katzenbach told the Governor he was "not interested in this show" and didn't know what the purpose of it was. He said his responsibility was to see that a Federal court order requiring integration of the university was carried out and that he intended to see that it was.

"A Simple Problem"

"Two students who simply seek an education on this campus are presently on this campus," said Mr. Katzenbach. "They have a right to be registered here. It's a simple problem and scarcely worth this kind of attention. They will register today. They will go to school tomorrow and they will go to school for the summer session."

He said the university had indicated its willingness to accept the students and that "all of us have known the final chapter of this will be the admission of the students."

Despite the issuance of a proclamation by President Kennedy ordering Gov. Wallace to "cease and desist" from any illegal obstructions — an order which was handed to the Governor by Mr. Katzenbach — the Governor stood his ground. Mr. Katzenbach asked him three times to step aside.

Students Enter Quarters

Mr. Katzenbach and his colleagues retired from the front of Foster Auditorium. The students were taken to quarters which had been assigned them in university dormitories.

About the same time, Mr. Kennedy was signing an order federalizing the Alabama National Guard. The unit began for National Guardsmen to escort the students in to enroll.

Gov. Wallace remained in the auditorium. The two Negro students went to lunch and the book store.

A public relations man for the National Guard announced that 18,000 men were involved in the President's order. One of them was a Tuscaloosa police sergeant who suddenly became a captain in the Army.

Students strolled about the campus, many of them coming up to police lines to see what the status of things were.

There never was any expectation that things would get out of hand. Hardly anyone expected that Gov. Wallace would defy the Army when it showed up.

At 5:20 p.m. six Army trucks carrying about 100 men rolled up the street beside the auditorium, escorted by the Governor's highway patrol. An Army observation plane circled overhead. A student waved a small American flag in a window from the upper floor of the auditorium where students had been filing in and out all day registering for classes.

Brig. Gen. Henry V. Graham, accompanied by four federalized Guardsmen, approached the auditorium and Gov. Wallace took his stand in the doorway again. The general saluted and the Governor returned it.

"It is my sad duty to tell you that the Alabama National Guard has been federalized," said Gen. Graham. He told the Governor to stand aside so the order of the court could be carried out.

"A Bitter Pill"

"It is a bitter pill to swallow," the Governor said. "But for this unwarranted federalization of the National Guard, I would be your commander in chief."

The Governor asked "all the people of the State to be calm. He said there must be no violence today or any other day."

He spoke of a "trend toward military dictatorship" and said he would continue his fight.

He then marched out to the street and a direct way by State police.

A few moments later, Mr. Hood strode up to Foster Auditorium. A minute later Mr. Malone, attractive, smiling and dressed in pink, walked in.

Greeted by Faculty

Inside they were greeted by faculty and staff who were in charge of registration. They registered for various courses, paid their fees and each made a statement to the press.

"To get an education is our main purpose for getting on the campus. It's all over now. We've got to get down to our books and start studying," said Miss Malone.

"This is our first and final press conference," said Mr. Hood. "We'd like to say we're very happy to note that our registration has taken place without incident and we hope we can get down to our main purpose for being here and that is to get an education."

A while later, Gov. Wallace checked out of his hotel and said he was returning to Montgomery.

Civilians in Charge

At a press conference, Edwin O. Guthman, press officer for the Justice Department, said the troops are in Tuscaloosa "to support civilian authority and to assist in maintaining law and order." He said civilian authorities will be in charge of campus security.

He said he did not know how long the troops would remain on campus. There were never more than the first contingent of some 100 on the university grounds, he said.

Mr. Guthman said there had been no direct communication by the Governor during the crisis and very little indirect contact.

He said the department did not know what the Governor would do and that the department's plans for handling the situation were drafted only a few hours before they were carried out.

For something not planned, things went pretty smoothly.

Last night, the boys and girls of the University of Alabama strolled beneath the moon hand in hand, just as they do at any campus.

University officials were preparing for another day which they felt would be not too different from most days.

"We confidently expect that the University of Alabama soon will be able to return to normalcy," said a statement issued by President Frank A. Rice.

"We could not have hoped for more exemplary conduct than that displayed by all the present for the crucial hours this morning and afternoon," he said.

Mr. Guthman said he didn't know whether Federal authorities would do anything about Gov. Wallace's stand in the door. He said it had never been expected that the Governor would be arrested.

GOVERNOR'S STATEMENT

Wallace Hits 'Illegal' Acts

TUSCALOOSA, Ala., June 11 (AP).—Here is a text of Gov. George C. Wallace's proclamation attempting to prevent enrollment yesterday of two Negroes into the University of Alabama.

As Governor and chief magistrate of the State of Alabama, I deem it to be my solemn obligation and duty to stand before you representing the rights and sovereignty of this State and its people.

The unwelcome, unwanted, unwarranted and force-induced intrusion upon the campus of the University of Alabama today of the might of the central government offers frightful example of the suppression of the rights, privileges and sovereignty of this State by officers of the Federal Government.

This intrusion results solely from force, or threat of force, undisciplined by any reasonable application of the principle of law, reason and justice.

It is important that the people of this State and Nation understand that this action is in violation of rights reserved to the State by the Constitution of the United States and to the constitution of the State of Alabama.

No Statutory Authority

While some may applaud these acts, millions of Ameri-

cans will grieve in sorrow upon rifled on the altar of political expediency the situation existing at this institution of learning.

Only the Congress makes the law of the United States. To this date no statutory authority can be cited to the people of this country which authorized the central government to ignore the sovereignty of this State in attempt to subordinate the rights of Alabama and millions of Americans.

There has been no legislative action justifying this intrusion. When the Constitution of the United States was enacted, a government was formed upon the promise that people, as individuals, are endowed with the rights of life, liberty, and property, and with the right of self-government.

The people and their local self-governments formed a central government and conferred upon it certain stated and limited powers. All other powers were reserved to the States and the people.

Cites 10th Amendment

Strong local government is the foundation of our system and must be continually guarded and maintained. The 10th amendment to the Constitution of the United States reads as follows:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people."

This amendment sustains the right of self-determination and grants the State of Alabama the right to enforce its laws and to regulate its internal affairs.

This Nation was never meant to be a unit of one . . . but a unit of many . . . this is the exact reason our freedom-loving forefathers established the States, so as to divide the rights and the powers among the many States, insuring that no central power could gain master government control.

There can be no submission to the theory that the central government is anything but a servant of the people. We are God-fearing people—not government-fearing people. We practice today the free heritage bequeathed to us by the founding fathers.

Refuses to Submit

I stand here today as Governor of this sovereign State and refuse to willfully submit to the legal usurpation of power by the central government. I claim today for all the people of the State of Alabama those rights reserved to them under the Constitution of the United States.

Among those powers so reserved and claimed is the right of State authority in the operation of the public schools, colleges and universities. My action does not constitute disobedience to the legislative and constitutional provisions.

It is not defiance for defiance's sake, but for the purpose of raising basic and fundamental constitutional questions. My action is a call for strict adherence to the Constitution of the United States as it was written—for a cessation of usurpation and abuse.

My action seeks to avoid having a State sovereignty sac-

Calis Action Illegal

Further, as the Governor of the State of Alabama, I hold to the supreme executive power of this State, and it is my duty to see that the laws are faithfully executed. The illegal and unwarranted action of the Central Government on this day contrary to the laws, customs and traditions of this State is calculated to disturb the peace. I stand before you today in a place of thousands of other Alabamians whose presence would have confronted you had I been derelict and neglected to fulfill the responsibilities of my office.

It is the right of every citizen, however humble he may be, through his chosen officials of representative government to stand courageously against whatever he believes to be the exercise of power beyond the constitutional rights conferred upon our Federal Government.

It is this right which I assert my presence here today.

Again I state—this is the exercise of the heritage of freedom and liberty under the law—coupled with responsible government.

Issues Proclamation

Now, therefore, in consideration of the promises, and in my official capacity as Governor of the State of Alabama, I do hereby make the following solemn proclamation:

Whereas, the constitution of Alabama vests the supreme executive powers of the State in the Governor as the chief magistrate, and said constitution requires of the Governor that he take care that the laws be faithfully executed; and

Whereas, the Constitution of the United States, Amendment 10, reserves to the State respectively or to the people, those powers not delegated to the United States, nor prohibited to the States; and

Whereas, the operation of the public school system is a power reserved to the State of Alabama under the Constitution of the United States and Amendment 10 thereof; and

Whereas, it is the duty of the Governor of the State of Alabama to preserve the peace under the circumstances now existing which powers are reserved to the State of Alabama and to the people thereof under the Constitution of the United States and Amendment 10 thereof.

Now, therefore, I, George C. Wallace, as Governor of the State of Alabama, have by my action raised issues between the central government and the sovereign State of Alabama which said issues should be adjudicated in the manner prescribed by the Constitution of the United States, and now being mindful of my duties and the responsibilities under the Constitution of the United States, the constitution of the State of Alabama and seeking to preserve and maintain the peace and dignity of the State, and the individual freedoms of the citizens thereof, do hereby denounce and forbid this illegal and unwarranted action by the central government.

Signed,

George C. Wallace,

Governor of Alabama



Brig. Gen. Henry Graham of the Alabama National Guard informs Gov. Wallace that the Guard is under Federal control as they meet at the door of Foster Auditorium at the University of Alabama.—AP Wirephoto.

JUN 12 1963

Alabama Coeds Seem Unconcerned by Negro

TUSCALOOSA, Ala., June 12 (AP).—Cord dormitory mates of Vivian Malone, one of two students enrolled under Federal court order at the University of Alabama, say they are mostly unconcerned over the presence of the young Negro woman.

"Most of the girls on the floor with Vivian just don't care at all that she's there," commented one coed who lives in Mary Burke Hall, where Miss Malone spent her first night as a student at the university.

Another coed, a junior, said: "I don't really care one way or another. I don't intend to bother her and I don't expect her to bother me."

Not Bothered

Said another: "I'm not bothered by integration. I guess it's needed."

The general feeling among many of the residents of Mary Burke Hall could be summed up by the old adage: Live and let live.

Some were noncommittal. One asked: "Why worry?" Several coeds said they were in the dormitory dining room last night when Miss Malone had dinner with a house mother and a representative of the Dean of Women.

"I felt sorry for her," said a young student assigned to quarters on the same floor with Miss Malone. "She seemed so alone."

United States marshals have been assigned to guard the dormitory.

Each Is 20

The other Negro student who enrolled yesterday is James Hood. Each is 20 years old.

They are the second and third Negroes admitted to the school. The first, Autherine Lucy, was driven from the campus by mobs in 1956, after she had attended classes three days.

Miss Lucy was expelled for charging later that university officials conspired with the mob. The charges were unproven.

The Door Is Open

Alabama's Governor Wallace has had his brief moment on the national stage and has made his theatrical bow to superior Federal power. The door of the University of Alabama has been opened to two Negro students, and the Governor has gone back to the State's capital city of Montgomery to continue, as he put it, the fight "which we are winning."

Everyone, including the Governor, knew, of course, that the students would be enrolled. But Mr. Wallace apparently felt that he had to go through with his threat to "stand in the door" and personally bar the applicants. In their turn, the Federal authorities evidently were determined to avoid the actual use of force, or anything else which might tend to make a martyr of the Governor. So, with much hemming and hawing, this farce of a confrontation was played out to the end—but the end, as anyone could foresee, was the upholding of the Federal authority and a defeat for the Governor. How he can possibly think he is "winning" this fight is beyond us. And before the courts are through with him, even the Governor may discover the difference between winning and losing.

While this comic opera performance was being played out in Tuscaloosa, violence was prevailing off stage. A Negro demonstration leader was shot and killed in Jackson, Mississippi. On Maryland's Eastern Shore, three white men were hit by shotgun blasts and police narrowly averted a serious riot there. In Danville, Va., major disorder continued. And there were fresh calls for new demonstrations elsewhere, including a "massive, militant and monumental sit-in" in Washington.

Against this background, President Kennedy appealed again for prompt action to accord Negroes their legitimate rights. Promising to send a civil rights package to Congress next week, he warned that "the fires of frustration and discord are burning in every city, North and South, where legal remedies are not at hand." He also said "we have a right to expect that the Negro community will be responsible, will uphold the law, but they have a right to expect that the law will be fair; that the Constitution will be color blind . . ."

A good speech. If it goes unheeded, the consequences will be unimaginably serious.

JUN 12 1956

DAVID LAWRENCE

The President's U.S. Troops Order

Question of Whether Action in Alabama Violates the Constitution Is Discussed

President Kennedy took the same risk yesterday that his predecessor did in ordering Federal troops to compel the admission of students to a public educational institution. Was the Constitution violated by the Chief Executive himself?

The same laws which were cited by the Eisenhower administration in connection with Little Rock were given as authority by President Kennedy. This does not mean that either incident was in conformity with the Constitution, or that some day the Supreme Court of the United States will not decide that the Constitution was actually violated in both instances.

Those sections of the law now being used as a basis for presidential action were passed nearly 100 years ago during or just after the war between the States. They refer to the enforcement or execution of "laws of the United States," but neither at Little Rock on September 24, 1957, or at Tuscaloosa this week were there any specific laws involved that deal with desegregation of public educational institutions. One provision cited relates only in general terms to "unlawful obstructions" which may make it "impracticable to enforce the laws of the United States in any State or territory by the ordinary course of judicial proceedings." Another provision authorizes the President to use troops if an insurrection or conspiracy occurs which "impedes the course of justice" under the laws of the United States.

Congress, however, on September 9, 1957, had specifically repealed those sections of the then existing law which had authorized the President to employ land or naval forces to aid in the execution of judicial process.

Congress, moreover, had explicitly enjoined the President and everybody else from using the military

forces in any way to execute the laws unless specifically authorized to do so by the Constitution or an act of Congress. In other words, Congress has prohibited the use of any part of the military forces as a "posse comitatus" unless Congress says so.

This leaves the Executive Branch of the Government with no power to secure the enforcement of court orders by military force. It means that United States marshals can be used to arrest anyone who violates a court order. Such a person can be brought to trial and properly punished.

But in the case of Little Rock, United States marshals were not brought into the picture. They were introduced at Oxford, Miss., as also were Federal troops—but the argument used in defense of such a course was that an unlawful assembly had occurred and disorder had prevailed inside the State of Mississippi which the Governor allegedly refused to restrain.

Gov. Wallace of Alabama, on the other hand, took particular pains to prevent any unlawful assemblies or disturbances in connection with his announced intention to challenge the entry of Negro students to the University of Alabama. He endeavored to secure a court test on the main issue of constitutionality and waited for the United States marshals to serve him with papers and arrest him for contempt if he prevented the entry of Negro students into the university.

President Kennedy, however, ordered the State militia federalized anyway so as to threaten the Governor. Only a few days ago the Supreme Court of the United States, in answer to a petition by Gov. Wallace of Alabama seeking to restrain such use of Federal military power, stated that the movement of Federal troops into

Alabama by the President had been "purely preparatory," and that the military forces of the Federal Government had not actually been used.

The President, therefore, took a step yesterday beyond the recent Supreme Court ruling on the presence of Federal troops in Alabama. Although there was no disturbance or act of violence at the university, Mr. Kennedy issued a proclamation directing the use of military force because he chose to regard the Governor's protest and intent to take the issue to court as being itself an "unlawful obstruction of justice."

Doubtless a case will be brought some day to the Supreme Court of the United States in which the facts and circumstances surrounding the incident will be cited in order to prove that there was an improper and unconstitutional use of Federal troops to secure by intimidation the admission of Negro students to the University of Alabama.

Gov. Wallace in his own proclamation stated that the Constitution of the United States and the Tenth Amendment reserved to the States, respectively, or to the people, those powers not delegated to the United States nor prohibited to the States, and that he believes the operation of the public-school system "is a power reserved to the State of Alabama under the Constitution of the United States and particularly the Tenth Amendment."

There are several major issues arising in the Alabama case which can only be resolved by a decision of the Supreme Court of the United States. If this is unfavorable to the State of Alabama and others who believe that there was a deviation from the Constitution as applied by the Supreme Court, then the only recourse is an amendment to the Constitution in the manner prescribed in the document itself.

(The New York Herald Tribune in-

JUN 12 1963

RICHARD WILSON

Radical Meddling in Race Issue

**Problem for U. S. and Negro Leaders
Is Seen in Efforts of Communists**

One aspect of the racial turmoil which so troubles the Nation presents to Federal officials a very baffling problem.

In the emotional surce which has been rising, and may continue to rise, devotion to race has in some cases superseded devotion to established American institutions. The Black Muslim movement wishes to establish a separate Negro state within the continental United States.

Attorney General Robert F. Kennedy heard from impassioned Negro spokesmen in a New York meeting that Negroes would not fight for the United States in Cuba if the Federal Government would not fight for their rights.

A number of Negroes who have been associated with Communist-front organizations are now involved in the equality movement. In at least one specific case, the relationship may run deeper.

The Senate Internal Security Committee has been looking into this matter. One individual reported to be closely identified with a Negro leader pleaded the Fifth Amendment when he was questioned in executive session. This testimony has not yet been made public.

Functionaries of the Communist Party have instructed members to encourage students at white colleges to support Negro sit-in demonstrations in at least two instances.

This is a very delicate phase of the present racial tension. It would be absurd to suggest that the aspirations of Negroes for equality are Communist inspired. This is demonstrably not true.

What is demonstrable is that some individuals and groups exploit the tension for purposes not confined to the equality of human rights under the United States Constitution.

Federal officials find themselves in difficulty dealing with this problem for several reasons. They know that the Negro leadership of America is not controlled and directed by the subversive elements. They think, however, that there are certain aspects which could bear inquiry.

But if they do so they tend to blacken a movement with which they have an underlying sympathy, and lend credence to claims that there are Communists or Communist-fronters involved in the demonstrations.

The tensions are considered already dangerous enough without being complicated by questions of the loyalty of individuals who may have attached themselves to the equality movement.

Yet officials who are charged by law with responsibilities for internal security cannot ignore those responsibilities. In the present situation probably as much as they can do is watch the problem carefully.

But it would be useful if responsible Negro leaders themselves could make it clear to all who follow them that their interest is solely in racial equality.

Some very strange elements have entered this problem. Militancy has become a must among Negro leaders. Some of them feel they cannot maintain their prestige and position without exposing themselves to harm or arrest on the front lines of racial demonstrations.

But this compulsion to participate need not and should not involve the responsible Negro leadership with any and all who would ride with them on their moral crusade.

So long as the crusade remains on the moral plane it will receive much support. If the crusade becomes a vehicle for political radicalism, or for organized violence, northern white support will begin to fade away.

Washington

Kennedy and King Canute of Alabama

By JAMES RESTON

WASHINGTON, June 11 — President Kennedy's swift and successful action against Governor George C. Wallace, the King Canute of Alabama, is just the beginning of a bolder White House strategy in the field of Negro civil rights, jobs and retraining.

He has apparently come back from his trip into the country with a greater sense of urgency about the race problem and a clearer conviction about how to deal with it.

First, he seemed to be receptive today to a broader program that would ask the Congress not only to legislate a public accommodation law desegregating all large businesses engaged in interstate commerce, but would concentrate on finding new jobs for Negroes and training Negroes for skilled labor.

The national unemployed rate among Negroes is almost twice that of whites.

Second, the President was urged by some of his leaders on Capitol Hill today, notably the majority whip in the Senate, Hubert Humphrey of Minnesota, to dramatize his program by presenting it in person on Capitol Hill, and by carrying his personal campaign for it into the Deep South and the Negro wards of the large cities in the North. He did not commit himself to this procedure but seemed sympathetic to the suggestion.

Welfare and Training

Meanwhile, he began a campaign of national education on the issue by going on national television this evening.

What is now being discussed here is legislation that would not only finance a much larger job-training program for those on relief, but would make welfare payments dependent in many cases on participation in job-training programs.

The final bill is not yet written and will probably not go to Capitol Hill until next week. Meanwhile, the President has been concentrating on getting the support of key legislators who might be able to break a filibuster in the Senate.

First among these is Senator Everett McKinley Dirksen of Illinois, the Republican leader, who met with the President today. The Republican leader in the House, Representative Charles Halleck of Indiana, who was also at the White House, evidently showed little enthusiasm for the President's program, but there is some confidence here that Senator Dirksen will help in the forthcoming battle to force a vote in the Senate.

Later the President will be in touch with other key Republicans, such as Senator George D. Aiken of Vermont and Bourke B. Hickenlooper of Iowa, and the hope in the White House and at the Justice Department is that some influential Southern Democrat, perhaps J. W. Fulbright of Arkansas, can be induced, like the late Senator Arthur Vandenberg, to break with tradition and back the President's program.

Attorney General Robert Kennedy has already talked to all the Democrats on Capitol Hill. He has made an impassioned plea to them to put the force of Federal law behind the drive for racial equality, and while this plea has not moved his colleagues from the South, others have testified that he made an effective argument that the alternatives were either new laws or racial violence.

The President has obviously modified his policy for dealing with the racial crisis in the last few weeks. At first he hesitated about proposing any bold legislative program for civil rights. At first, too, he lent the moral support of his office to the Negro demonstrations and in effect approved the movement that sought justice outside the law.

Birmingham and the other violent demonstrations changed all that. Now he is apprehensive that the demonstrations will get beyond police control and is trying to get the issue out of the streets and back into the courts.

For it is now realized here that the President cannot logically base his case against Governor Wallace on the law and at the same time support demonstrations that break the law. To keep the controversy from being a conflict between law and justice, therefore, he is hoping that the Congress will pass laws that will enable him to appeal to the Negroes to seek justice in the courts.

Frankfurter's Principle

Governor Wallace's defiance has helped bring the President to this more logical position. The President's principle in the Alabama case is clear enough. It was eloquently stated by Mr. Justice Felix Frankfurter in the Little Rock school case.

"To yield to such a claim," Justice Frankfurter wrote, "would be to enthrone official lawlessness, and lawlessness if not checked is the precursor of anarchy. On the few tragic occasions in the history of the nation, North and South, when law was forcibly resisted or systematically evaded, it has signaled the breakdown of constitutional processes of government on which ultimately rest the liberties of all."

This the President is clearly not going to permit. He is not trying to silence dissent but to bar defiance. For, as Justice Frankfurter concluded, "To defy the law of the land is profoundly subversive not only of our constitutional system but of the presuppositions of a democratic society. The state must yield to an authority that is paramount to the state."

Troops at Tuscaloosa

The course of calculated provocation followed by Governor Wallace has had its inevitable end in President Kennedy's assignment of Federal troops to the campus of the University of Alabama. What contribution to the defense of "states' rights" the Governor's defiance of court orders was supposed to make eludes rational analysis. Again, as when Gov. Ross Barnett forced the sending of soldiers to the University of Mississippi, a champion of white supremacy has succeeded only in humiliating the cause he professes to uphold.

The President, fulfilling his clear obligations under the Constitution, took the necessary steps to see that the law was obeyed and that Negro students were allowed to enroll in Alabama on the same basis as white students. He acted with dignity and decisiveness after he had gone far beyond the call of duty in trying to dissuade Mr. Wallace from his willful course—a course pursued in disregard of most of his own close associates in the state administration.

Now that the Governor has fulfilled his election pledge by making his senseless gesture, the nation will hope that he will live up to his indicated intent of ceasing his personal obstruction and thus avoid an aftermath as bloody as that which stained the "Ole Miss" campus when the application of military force was necessary to enroll James H. Meredith. A university campus ought to be a citadel of lawful process, the mainstay of all justice and all order.

The nation will hope, too, that the last great test has been passed in the campaign of illegality and immoderation undertaken, in the name of sovereignty and legality, by diehard segregationist officials in the South. Nine years have gone by since the Supreme Court handed down its historic decision in favor of public school desegregation. The implementation of that decision remains meager. But the way to enforcement is now clear, and the Court has made it plain that it will not tolerate more foot-dragging.

The civil rights battleground shifts now to Congress, which awaits the President's recommendations for stronger laws to make equal opportunity a reality for all Americans. The clearer it becomes that all the forces of the Federal Government—executive, legislative and judicial—are united in support of constitutional guarantees, the less need there will be for battles in the street to establish the rights that are an American's by birth and the less excuse there will be for irresponsible behavior of the type in which Governor Wallace engaged.

To the two students who registered at Tuscaloosa yesterday and the one who is scheduled to enroll at Huntville tomorrow, go earnest wishes that they will have no more difficulties in being the one thing they want to be—just three more undergraduates, going about their studies in peace.

